	Application No.	Applicant(s)
	09/919,185	BODEN, EDWARD B.
Notice of Allowability	Examiner	Art Unit
	Victor Lesniewski	2152
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT I of the Office or upon petition by the applicant. See 37 CFR 1.31	S (OR REMAINS) CLOSED in 5) or other appropriate commu RIGHTS. This application is s	this application. If not included inication will be mailed in due course. THIS
1. \boxtimes This communication is responsive to <u>the telephonic interv</u>	view held 13 December 2006.	
2. X The allowed claim(s) is/are <u>1, 3-5, 8-14, 18-25, 29, 30, 34</u>	1-41, 43, and 45-53	
3. ☐ Acknowledgment is made of a claim for foreign priority (a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 3. ☐ Certified copies of the priority	ve been received. ve been received in Applicatio	n No
3. Copies of the certified copies of the priority d	ocuments have been received	in this national stage application from the
International Bureau (PCT Rule 17.2(a)). * Certified copies not received:	·	•
Applicant has THREE MONTHS FROM THE "MAILING DATE noted below. Failure to timely comply will result in ABANDON THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 4. A SUBSTITUTE OATH OR DECLARATION must be subjusted in the subjusted of the subjusted o	MENT of this application. mitted. Note the attached EXA	MINER'S AMENDMENT or NOTICE OF
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 CORRECTED DRAWINGS (as "replacement sheets") mu (a) including changes required by the Notice of Draftspe 		(PTO-948) attached
1) hereto or 2) to Paper No./Mail Date	-	7 (F10-946) attached
(b) ☐ including changes required by the attached Examine Paper No./Mail Date		in the Office action of
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in		
 DEPOSIT OF and/or INFORMATION about the dep attached Examiner's comment regarding REQUIREMENT 		
		·
Attachment(s)	5 	
1. Notice of References Cited (PTO-892)		formal Patent Application
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	Paper No./	ummary (PTO-413), Mail Date <u>20061218</u>
 Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 	-	Amendment/Comment
 Examiner's Comment Regarding Requirement for Deposit of Biological Material 	9.	Statement of Reasons for Allowance UNUGB JABOENCHONWANIT PERVISORY PATENT EXAMINER

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ALLOWANCE

- 1. In a telephonic interview on 12/13/2006, the applicant and the examiner have agreed on amendments to the claims that will place them in condition for allowance. See the attached interview summary for details of the interview.
- 2. Claims 1, 3-5, 8-14, 18-25, 29, 30, 34-41, 43, and 45-53 are pending and are to be entered herein by an examiner's amendment.
- 3. Thus, claims 1, 3-5, 8-14, 18-25, 29, 30, 34-41, 43, and 45-53 are allowed.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to the applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given via telephone by Attorney Shelley Beckstrand, Reg. No. 24886, on 12/18/2006.

The application has been amended as follows:

In the claims:

Please replace all claims in the application with the new listing of claims in the applicant's "Proposed Amendment" attached hereto. The claims appear on pages 2-48 of the "Proposed Amendment."

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Further, in the new listing of claims entered herein:

In claim 25, line 9, after "within said IP layer of said", please remove "said".

In claim 48, line 6, please replace "sixth" with --seventh--.

In claim 48, line 18, after "would have been delivered;", please remove ";".

In claim 48, line 19, please replace "sixth" with --seventh--.

In claim 49, line 20, please replace "packed" with --packet--.

Allowable Subject Matter

5. The following is an examiner's statement of reasons for allowance:

The independent claims distinguish themselves over the prior art by delineating a method, system, etc. in which the syntax used to write filter rules is extended to allow specification of non-IP packet attributes and in which the filtering function which runs in the system kernel is extended to handle the non-IP packet attributes. See the applicant's specification, page 10, lines 15-22. Each independent claim includes the specification of the non-IP packet attributes as well as the extension of the system kernel. The extension of the system kernel is conveyed in some of the independent claims by stating that the steps for inbound and outbound packet processing are executed within a kernel filtering function upon encountering a filter selector field referencing kernel data not included in the packet, while the extension of the system kernel is conveyed in other independent claims by stating that the filtering code is executed within the IP layer of the system kernel with respect to non-IP packet data accessed within said system kernel outside of the TCP/IP protocol stack. In this way, the independent claims now clearly and distinctly describe the important features of this packet

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filtering system which filters based on non-IP packet traffic attributes and thus independent claims 1, 10, 18, 22-24, 29, 34, 26-41, 43, 45-47, and 49-52 now show a patentable distinction over the prior art. Furthermore, the prior art gives no indication that it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to extend IP filtering technology in the specific fashion presented in these claims.

Claims 3-5, 8, 9, 11-14, 19-21, 25, 30, 35, 48, and 53 are allowed due to their dependence on independent claims discussed above.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Victor Lesniewski Patent Examiner

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SUPERVISORY PATENT EXAMINER